THE HONOURABLE SRI JUSTICE V.ESWARAIAH

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Date:10-02-2006

WRIT PETITION No.2298 OF 2006

BETWEEN:

M/s.Quarry Workers' Labour Contract Co-op.Society, represented by its President P.Chinna.

…Petitioner

And

The Director of Mines and Geology, Government of A.P., Hyderabad and others.

…Respondents

ORDER:

The petitioner questions the action of the first respondent in not considering and dispose of its representation dated 28-12-2005 for consideration of the renewal application dated 12-12-2003 for grant of quarry lease for quarrying stone in Sy.No.247 of Yerravaram

village, Yellamanchili Mandal, Visakhapatnam District.

It is stated that the second respondent granted quarry lease for quarrying rough stone over an extent of half hector in Sy.No.247 of Yarravaram village, Yellamnchili Mandal, Visakhapatnam District for a period of 10 years under Rule 12(3)(1) read with Rule 9(1) of the Andhra Pradesh Minor Mineral Concession Rules, 1966 (for short “the Rules’), vide proceedings No.1948/02/94, dated 8-7-1994. It is stated that the petitioner filed renewal application dated 12-12-2003 before expiry of the quarry lease as contemplated under Rule 13(2) of the said Rules and the petitioner has deposited a sum of Rs.12,500/- vide challan dated 21-3-2005 towards advance rent for the year 2005-06. It is stated that the said renewal application has not been disposed of and therefore, the petitioner filed the representation dated 28-12-2005.

Heard the learned counsel appearing for the petitioner as well as the learned Government appearing for the respondents.

The perusal of the representation dated 28-12-2005 goes to show that the Mandal Revenue Officer issued objection certificate for renewal of the lease, stating that the said land is proposed for Housing Colonies and the same is within the vicinity of road No.5 and on the said objection certificate, the second respondent issued a show cause notice to the petitioner society as to why the renewal of lease shall not be cancelled. It is stated that an explanation has been filed, but the same has not been considered and disposed of in accordance with law.

I am not inclined to express any opinion on the merits of the case. Having regard to the facts and circumstances of the case, the first respondent is directed to consider and dispose of the representation of the petitioner dated 28-12-2005 in accordance with law within eight weeks from the date of receipt of copy of this order.

The writ petition is disposed of accordingly. No costs.

V.ESWARAIAH,J

Date: 10-02-2006.

Shr.